

Attorney Docket No: 111325-020500 Application No. 09/777,845

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| ) |                           |
|---|---------------------------|
| ) |                           |
| ) | Group Art Unit: 3628      |
| ) | Confirmation No. 3040     |
| ) | Examiner: Frantzy Poinvil |
| ) |                           |
| ) |                           |
| ) |                           |
|   | ) ) ) ) ) ) )             |

## **INFORMATION DISCLOSURE STATEMENT**

United States Patent and Trademark Office Customer Service Window Randolph Building 401 Dulany Street Alexandria, VA 22314

Sir:

In accordance with the duty of disclosure as set forth in 37 C.F.R. §1.56, Applicants hereby submit the following information in conformance with 37 C.F.R. §§ 1.97 and 1.98. Pursuant to 37 C.F.R. § 1.98, a copy of each of the documents cited is enclosed.

The undersigned certifies that each item of information contained in this information disclosure statement was first cited in a communication from a foreign associate in connection with a counterpart foreign application not more than three (3) months prior to the filing of this statement.

Attorney Docket No: 111325-020500 Application No. 09/777,845

It is requested that the accompanying PTO-1449 be considered and made of record in the above-identified application. To assist the Examiner, the documents are listed on the attached form PTO-1449. It is respectfully requested that an Examiner

return an initial copy of this form to the undersigned.

The Commissioner is hereby authorized to charge any fees connected with this filing which may be required now, or credit any overpayment to Deposit Account No. 19-2380 (111325-020500).

Respectfully submitted,

NIXON PEABODY, LLP

Marc S. Kaufman

Registration No. 35,212

Date

CUSTOMER NO. 22204 NIXON PEABODY LLP

401 9th Street, N.W., Suite 900 Washington, DC 20004-2128

8-15-06

Telephone: (202) 585-8000

| C.A.  |              | TRAIN S TRAIN  |  | Ţ                                    |   |   | Comple  | ete if Kno  | wn  |    |  |  |
|---|--------------|--|--|--------------------------------------|---|---|---|---|---|----|--|--|
| Substitute for form 1449A/PTO  INFORMATION DISCLOSURE STATEMENT BY APPLICANT  |              |  |  |                                      | Complete if Known  Application Number 09/777,845              |   |   |   |   |    |  |  |
|   |              |  |  | , —                                  | lication Number   |   |   |   |   |    |  |  |
|   |              |  |  |                                      | ng Date   |   |   |   | uary 7, 2001                                    |    |  |  |
|   |              | any sheets as necessar   |  | Firs                                 | Named Inventor  | <u> </u>                                    |   |   | Mark J. STEFIK, et al.                          |    |  |  |
|   | (            | ,  | ,  |                                      | Unit  |   | <del></del>                                       |   | 3628  |    |  |  |
|   | <del></del>  | · · · · · · · · · · · · · · · · · · ·  |  |                                      | Examiner Name   |   |   |   | Frantzy Poinvil                                 |    |  |  |
| Sheet   |              | of   |  | Atto                                 | mey Docket Nur  | nber  |   | 1113  | 25-020500                                       |    |  |  |
|   |              |  |  | U.S. PA                              | ATENT DOC   | UMENT                                       | S   | _   |   |    |  |  |
| Examiner<br>nitials   | Cite<br>No.1 | U.S. Patent Docu   |  |                                      |   |   |   | Name of Patentee or Pages, Columns, Lines, V Relevant Passages or Rel |   |    |  |  |
|   |              | Number - Kind Code <sup>2</sup> (if known)   |  | ••                                   | WINI-DD-1111  |   | принам от с                                       | neo Document  | Figures Appear                                  |    |  |  |
|   |              | US-  |  |                                      |   |   |   |   |   |    |  |  |
| •   | i i          | US-  |  |                                      |   |   |   |   |   |    |  |  |
|   |              |  | I  | OREIG                                | PATENT DO   | CUME  | ENTS  |   |   |    |  |  |
| xaminer   | Cite         | Foreign Patent I   | Document                                 |                                      |   |   | •   |   | Pages, Columns, Lines, Where                    |    |  |  |
| nitials"  | No.1         | Kind Code <sup>5</sup> Country Code <sup>3</sup> Number <sup>4</sup> (if known)                              |  | ☐ MN                                 | olication Date<br>4-DD-YYYY                                   |   | Name of Patentee or<br>Application of Cited Docum |   | Relevant Passages or Relevant<br>Figures Appear | т⁰ |  |  |
|   | +            | JP 06-214862   |  | 08/05                                | /1994   | SAT   | OMI et al.  |   | English Abstract                                |    |  |  |
|   | +            | JP 05-298174   |  | 11/12                                |   | NUK   |   |   | English Abstract                                |    |  |  |
|   | 1            | JP 06-230847   |  | 08/19                                | /1994   | MAS   | UI  |   | English Abstract                                |    |  |  |
|   |              | JP 03-014109   |  | 01/22                                | /1991   | NAR   | JTA   |   | English Abstract                                |    |  |  |
|   |              | 11/15  |  |                                      |   | English Abstract                            |   |   |   |    |  |  |
|   | JP 06-103286 |  | 04/15                                    | 5/1994 HARTRICK et al.               |   |   | ıl.   | English Abstract  |   |    |  |  |
|   |              | 0'   | THER PRIOF                               | R ART – N                            | ON PATENT L   | TERATI                                      | URE DOCUM   | ENTS  |   |    |  |  |
| Examiner<br>nitials   | Cite<br>No.1 |  |  | ournal, seri                         | PITAL LETTER<br>al, symposium, c<br>her, city and/or co       | atalog, etc                                 | c.)., date, page(                                 |   |   | T² |  |  |
|   |              | Henry M. Levy,   | "Capability                              | -Based C                             | Computer Sys  | tems", I                                    | Digital Pres                                      | s, 1984, P  | 1-18 USA  |    |  |  |
|   |              | Kawahara Masah<br>Superdistribution<br>Communication<br>Engineers, Septe<br>Translation<br>Ryoichi Mori et a | ", Technica<br>Engineers,<br>mber 21, 19 | al Report<br>EIC Insti<br>1994, Shin | of the Institu<br>tute of Electr<br>gaku Giho V<br>Way Toward | te of El<br>onics, I<br>ol. 94 N<br>Superdi | ectronics, Information No. 240, P17               | nformation<br>and Comr<br>7-24 Japan<br>Informati                     | n and nunication - English ion Symposium        |    |  |  |
| Papers, Information Processing Society of Japan, February 17, 1994, Vol. 94, No. 1, Pol. Shinichi Ueki et al., "The Accounting Process in Software Usage Monitor for Superdisting Process." |              |  |  |                                      |   |   | <u> </u>  |   |   |    |  |  |
|   |              | Information Proc<br>1, P1-10 Japan E   | essing Soci<br>nglish Tran               | ety of Ja<br>slation                 | pan Technica<br>•   | l Repor                                     | t, 90-Is-27,                                      | January 1   | Superdistribution",<br>6, 1990, Vol. 90, No.    |    |  |  |
|   |              | Electronics, Informand Communicat  | rmation and<br>ion Engine                | l Commu<br>ers, Septe                | nication Eng<br>ember 21, 199                                 | ineers, l<br>94, Shin                       | EIC Institut<br>ngaku Giho                        | e of Electr<br>Vol. 94 N  | ronics, Information<br>o. 240, P59-66 Japan     |    |  |  |
|   |              | Environment", T  | he Hitachi                               | Hyoron,                              | November 19   | 94, Vol                                     | l. 76, P49-5                                      | 2 Japan   | buted Computing                                 |    |  |  |
|   |              | Shinbun, August  | 1, 1989, V                               | ol. 28, N                            | o. 8, P8-17 Ja  | pan -                                       |   | _   | t, Nikkan Kogyo                                 |    |  |  |
|   |              |  |  |                                      |   |   |   |   |   |    |  |  |
|   |              | Atsushi Iizawa, "<br>1992, Vol. 33, N  |  |                                      |   | m", Inf                                     | ormation Pr                                       | ocessing S  | Society, May 15,                                |    |  |  |

<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>&</sup>lt;sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at <a href="www.uspto.gov">www.uspto.gov</a> or MPEP 901.04 <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

<sup>1</sup> Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached.



Total Number of Pages in This Submission



## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

| Application Number     | 09/777,845             |  |
|------------------------|------------------------|--|
| Filing Date            | February 7, 2001       |  |
| First Named Inventor   | Mark J. STEFIK, et al. |  |
| Group Art Unit         | 3628                   |  |
| Examiner Name          | Frantzy Poinvil        |  |
| Attorney Docket Number | 111325-020500          |  |

| ENCLOSURES (check all that apply)   |   |  |  |  |   |
|---|---|--|--|--|---|
| Fee Transmittal Form Fee Attached Amendment / Reply After Final Affidavits/declaration(s) Extension of Time Request Express Abandonment Request Information Disclosure Statement Certified Copy of Priority Document(s) Response to Missing Parts/ Incomplete Application Response to Missing Parts |   | ENCLOSURES (check all that apply)  Assignment Papers (for an Application) Drawing(s) Declaration and Power of Attorney Licensing-related Papers Petition Petition Petition to Convert to a Provisional Application Power of Attorney, Revocation Change of Correspondence Address Terminal Disclaimer Request for Refund CD, Number of CD(s) |  |  | After Allowance Communication to Group Appeal Communication to Board of Appeals and Interferences Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) Proprietary Information Status Letter Application Data Sheet Request for Corrected Filing Receipt with Enclosures A self-addressed prepaid postcard for acknowledging receipt Other Enclosure(s) (please identify below): PTO Form-1449 citing fourteen (14) references enclosed. |
|   | Remarks  The Commissioner is hereby authorized to charge any additional fees required or credit any overpayments to Deposit Account No. 19-2380 for the above identified docket number. |  |  |  |   |
| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT  |   |  |  |  |   |
| Firm or Individual name   | Marc S. Kaufman, Reg. No. 35,212  Nixon Peabody LLP  401 9 <sup>th</sup> Street, N.W., Suite 900  Washington, D.C. 20004-2128   |  |  |  |   |
| Date  | 8-16-06   |  |  |  |   |

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

| hereby o | certify that this correspondence is being:  |   |  |  |  |  |  |
|----------|---|---|--|--|--|--|--|
|          | deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 |   |  |  |  |  |  |
|          | transmitted by facsimile on the date shown below  | to the United States Patent and Trademark Office at (703) |  |  |  |  |  |
|          | Date  | Signature   |  |  |  |  |  |
|          |   | Typed or printed name                                     |  |  |  |  |  |